

Attorney's Docket No. 005513P021

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of:)
)
 Hassan Mostafavi et al.) Examiner: Not yet assigned
)
Application No.: Not yet assigned) Art Unit: Not yet assigned
)
Filed: Herewith)
)
For: LOCALIZATION OF A TARGET)
 USING IN VIVO MARKERS)
)

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Enclosed is a copy of Information Disclosure Citation Form PTO-1449 together with copies of the foreign patent documents and non-patent literature cited on that form. It is respectfully requested that the cited documents be considered and that the enclosed copy of Information Disclosure Citation Form PTO-1449 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicants.

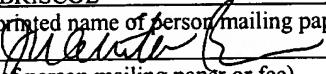
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Pursuant to 37 C.F.R. § 1.97, the submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed as an admission that the information cited in this statement is material to patentability.

Pursuant to 37 C.F.R. § 1.97, this Information Disclosure Statement is being submitted under one of the following (as indicated by an "X" to the left of the appropriate paragraph):

X 37 C.F.R. §1.97(b).

 37 C.F.R. §1.97(c). If so, then enclosed with this Information Disclosure Statement is one of the following:

 A statement pursuant to 37 C.F.R. §1.97(e) or

 A check for \$180.00 for the fee under 37 C.F.R. § 1.17(p).

 37 C.F.R. §1.97(d). If so, then enclosed with this Information Disclosure Statement are the following:

(1) A statement pursuant to 37 C.F.R. §1.97(e); and

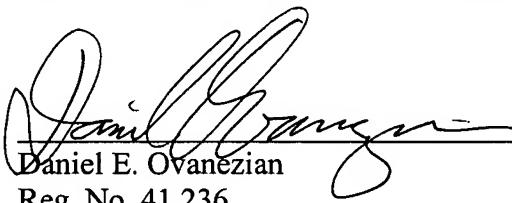
(2) A check for \$180.00 for the fee under 37 C.F.R. §1.17(p) for submission of the Information Disclosure Statement.

If there are any additional charges, please charge Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 9/6, 2003



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Substitute for Form 1449A/PTO (Modified) (use as many sheets as necessary)			Attorney Docket No.: 005513P021	Application Number: Not yet assigned
			First Named Inventor: Hassan Mostafavi	
			Filing Date: Herewith	

U.S. PATENT DOCUMENTS

Exam. Initial*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Code ²	Kind (If known)			
		4,868,843		Nunan	9/19/89	
		4,868,844		Nunan	9/19/89	
		4,945,914		Allen	8/7/90	
		4,991,579		Allen	2/12/91	
		5,166,531		Huntzinger	11/24/92	
		5,394,457		Leibinger et al.	2/28/95	
		5,397,329		Allen	3/14/95	
		6,095,975		Silvern	8/1/00	
		6,119,033		Spigelman et al.	9/12/00	
		6,205,347		Morgan et al.	3/20/01	
		6,230,038		von Gutfeld et al.	5/8/01	
		6,239,724		Doron et al.	5/29/01	

FOREIGN PATENT DOCUMENTS

Exam. Initial*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD- YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (If known)				
		PCT	WO 02/100485 A1		Calypso Medical Technologies, Inc.	12/19/02		

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard S.3). ⁴For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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Substitute for Form 1449A/PTO (Modified) (use as many sheets as necessary)		Attorney Docket No.: 005513P021	Application Number: Not yet assigned
		First Named Inventor: Hassan Mostafavi	
		Filing Date: Herewith	

U.S. PATENT DOCUMENTS						
Exam. Initial*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (If known)			
		6,273,858		Fox et al.	8/14/01	
		6,279,579		Riaziat et al.	8/28/01	
		6,317,621		Graumann et al.	11/13/01	
		6,327,490		Spetz	12/4/01	
		6,359,960		Wahl et al.	3/19/02	
		6,390,982		Bova et al.	5/21/02	
		6,402,689		Scarantino et al.	6/11/02	
		6,530,873		Lee	3/11/03	
		US 2002/0151797 A1		Montegrande	10/17/02	
		US 2003/0055335 A1		Sauer et al.	3/20/03	
		US 2003/0063292 A1		Mostafavi	4/3/03	

FOREIGN PATENT DOCUMENTS							
Exam. Initial*	Cite No. ¹	Foreign Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD- YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T6
		Office ³	Number ⁴	Kind Code ⁵ (If known)			

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Substitute for Form 1449A/PTO (Modified) (use as many sheets as necessary)	Attorney Docket No.: 005513P017	Application Number: Not yet assigned
	First Named Inventor: Robert Sutherland	
	Filing Date: Herewith	

OTHER ART - NO PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	Translation ²
		Rini C., et al. "The Results of an Implantable Dosimetric Device Used to Determine <i>In Vivo</i> Radiation Dose, I. J. Radiation Oncology, Biology Physics, Vol. 55, No. 2, 2003.	
		C. Scarantino, et al. "In Vivo Dosimetry During External Beam Radiotherapy Utilizing an Implantable Telemetric and Dosimetric Device", Proceedings of the 44 th Annual ASTRO Meeting, I.J. Radiation Oncology Biology Physics, Vol. 54, No. 2, Supplement, 2002, Abstract & Product handout.	
		"ACCULOC Implanted Fiducial Localization System", MED-TEC, http://www.medtec.com/products/immobilization/localization/ifls.htm , 5/28/03, 3 pages.	
		"ACCULOC Implanted Fiducial Localization System", http://www.nmpe.com/ACCULOC/intro.htm , title page and Demo Extracranial, downloaded 9/15/03, 17 pages.	

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